

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claim:

1 Claim 1 (original): Drain suitable for draining a human or  
2 animal antrum, organ or tissue, characterized in that it  
3 comprises an elastic biocompatible, biodegradable synthetic  
4 polymer, which polymer has at least one softening point  
5 (glass transition temperature) of at most mammalian body  
6 temperature.

1 Claim 2 (original): Drain according to claim 1, which  
2 essentially entirely consists of said synthetic  
3 biodegradable polymer.

1 Claim 3 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~ claim 1, wherein the polymer has at least one  
3 softening point (glass transition temperature) of at most  
4 37-°C.

1 Claim 4 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~ claim 1, wherein the biodegradable polymer  
3 comprises a polyester, polycarbonate, polyester-carbonate,  
4 polyanhydride, polyurethane and/or polyamide which are  
5 optionally combined with polyether groups.

1 Claim 5 (currently amended): Drain according to claim 4,  
2 wherein:

—\_\_\_\_\_the polyester is selected from lactide polyester,  $\epsilon$ -caprolactone polyester, glycolide polyester, or copolymers thereof; and/or

—\_\_\_\_\_the polyether is selected from polyethyleneglycol, polypropyleneglycol, copolymers thereof and polytetramethyleneoxide (PTMO).

Claim 6 (original): Drain according to claim 5, wherein the polyester is a random DL-Lactide- $\epsilon$ -caprolactone copolyester, preferably having a lactide content of 20-75 mol %, more preferably 55-70 mol%, most preferably 62-69 mol%.

Claim 7 (currently amended): Drain according to claim 6, wherein the fraction of the L-enantiomer or the D-enantiomer of the lactide is from 65-95 mol%, preferably from 70-90 mol%, more preferably about 85 mol%.

Claim 8 (original): Drain according to claim 4, wherein the polyester, polyester-carbonate and/or polyanhydride is a segmented or block copolymer with randomly or alternating segments or blocks and consisting of at least two blocks with different composition.

Claim 9 (currently amended): Drain according to claim 8, wherein the segments or blocks are phase separated hard and soft segments, characterized by at least two phase transitions, one of them being a glass transition temperature lower than 37-°C, the other a glass transition temperature or melting temperature higher than 37-°C.

Claim 10 (currently amended): Drain according to claim 8-~~or~~ 9, wherein the segments or blocks forming the low

3 temperature transition phase are composed of pre-polymers of  
4 (mixtures of) cyclic or non-cyclic monomers lactide,  
5 glycolide,  $\epsilon$ -caprolactone,  $\delta$ -valerolactone,  
6 trimethylenecarbonate, tetramethylenecarbonate,  
7 1,5-dioxepane-2-one, para-dioxanone and/or  
8 hydroxyalkanoic acid.

1 Claim 11 (currently amended): Drains according to claim 8-  
2 ~~10~~, wherein the copolymer or pre-polymers are obtained by a  
3 ring opening ~~polymerisation~~ polymerization initiated by a  
4 diol or di-acid compound.

1 Claim 12 (currently amended): Drains according to claim 8-  
2 ~~11~~, wherein the pre-polymers forming the segments are linked  
3 by a difunctional aliphatic compound, preferably a  
4 diisocyanate, more preferably 1,4-butanediisocyanate.

1 Claim 13 (currently amended): Drain according to ~~claims 9-~~  
2 ~~12~~ claim 9, wherein the segment or block with highest  
3 temperature phase transition (hard segment or block) is  
4 formed by poly-caprolactone, poly-valerolactone,  
5 poly-lactide, poly(lactide-glycolide), poly-para-dioxanone,  
6 poly(hydroxybutyric acid), polysebacic acid,  
7 poly(dodecanedioic anhydride) pre-polymers, and combinations  
8 thereof.

1 Claim 14 (original): Drain according to claim 4, wherein the  
2 biodegradable polymer comprises a polyurethane, which  
3 biodegradable polymer is a phase separated copolymer with a  
4 polyester, polyester-carbonate and/or polycarbonate soft  
5 segment and a urethane hard segment with uniform block  
6 length.

1 Claim 15 (original): Drain according to claim 14, wherein  
2 the polyurethane is formed by diisocyanate linked  
3 pre-polymer and diol components having the formula [-A-B-C-  
4 B-]<sub>n</sub>, wherein A denotes the pre-polymer moiety, B denotes  
5 the diisocyanate moiety, C denotes the diol moiety, having a  
6 uniform block length; and n represents an integer larger  
7 than 1.

1 Claim 16 (original): Drain according to claim 15, wherein  
2 the diol component is a linear aliphatic diol (X) with  
3 general structure HO-(CH<sub>2</sub>)<sub>n</sub>-OH with n = 2-8 or HO-(CH<sub>2</sub>CH<sub>2</sub>-O-  
4 CH<sub>2</sub>CH<sub>2</sub>)<sub>n</sub>-OH with n = 2-8 or the diol (XYX) is a reaction  
5 product of two moles of the diol (X) with said diisocyanate.

1 Claim 17 (currently amended): Drain according to claim 15-~~or~~  
2 ~~16~~, wherein the diisocyanate is 1,4-butanediisocyanate.

1 Claim 18 (currently amended): Drain according to claim 15-  
2 ~~17~~, wherein the pre-polymer is formed by ring opening  
3 ~~polymerisation~~ polymerization initiated by a diol or  
4 polyethyleneglycol compound of the cyclic monomers lactide,  
5 glycolide, ε-caprolactone, δ-valerolactone,  
6 trimethylenecarbonate, tetramethylenecarbonate,  
7 1,5-dioxepane-2-one and/or para-dioxanone.

1 Claim 19 (currently amended): Drain according to claim 14-  
2 ~~18~~, wherein the polyester is a poly(DL-lactide-ε-  
3 caprolactone) and the diol compound is the reaction product  
4 of two moles of 1,4-butanediol and one mole of  
5 1,4-butanediisocyanate.

1 Claim 20 (currently amended): Drain according to claim 14-  
2 18, wherein the polyester is a poly(DL-lactide-ε-  
3 caprolactone) and the diol compound is the reaction product  
4 of two moles of diethyleneglycol and one mole of  
5 1,4-butanediisocyanate.

1 Claim 21 (currently amended): Drain according to claim 14-  
2 19, wherein the soft segment is a combination of a  
3 pre-polymer with a polyether pre-polymer, preferably a  
4 polyethyleneglycol.

1 Claim 22 (original): Drain according to claim 21 wherein the  
2 polyethyleneglycol has a molecular weight of 1500.

1 Claim 23 (currently amended): Drain according to claim 14-  
2 18, wherein the polyurethane contains 1-25 wt.%  
3 polyethyleneglycol, preferably 5-15%, being present as a  
4 pre-polymer initiator, and the polyester is a poly(DL-  
5 lactide-ε-caprolactone) and the diol compound is the  
6 reaction product of two moles of 1,4-butanediol and one mole  
7 of 1,4-butanediisocyanate.

1 Claim 24 (original): Drain according to claim 23, wherein  
2 the polyethyleneglycol has a molecular weight of 1000.

1 Claim 25 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~ claim 1, wherein the polymer comprises a  
3 polyurethane and a polyester, polyestercarbonate or a  
4 polycarbonate, obtainable by solution blending.

1 Claim 26 (original): Drain according to claim 25, wherein  
2 the polyurethane is based on a DL-lactide-ε-caprolactone

3 soft segment pre-polymer and the polyester is a poly(DL-  
4 lactide-ε-caprolactone) copolymer.

1 Claim 27 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~claim 1, wherein said polymer is loaded with  
3 radiopaque fillers and/or pharmaceutical components such as  
4 antibiotics, anti-inflammatory agents, peptides and  
5 proteins.

1 Claim 28 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~claim 1, which is provided with perforations.

1 Claim 29 (currently amended): Nasal drain according to ~~any~~  
2 ~~of the previous claims~~claim 1.

1 Claim 30 (currently amended): Drain, particularly a nasal  
2 drain, according to ~~any of the previous claims~~claim 1,  
3 having a wall thickness of 0.05-5.0 mm.

1 Claim 31 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~claim 1, having a total length of 3-300 mm.

1 Claim 32 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~claim 1, having an outer diameter of  
3 0.5-50 mm.

1 Claim 33 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~claim 1, comprising a funnel shaped element  
3 on at least one end.

1 Claim 34 (original): Drain according to claim 33, having a  
2 funnel length of 2-20 mm and preferably a funnel diameter of  
3 3-30 mm.

1 Claim 35 (currently amended): Drain according to ~~any of the~~  
2 ~~previous claims~~ claim 1, which is obtainable by dip-coating  
3 or spray coating of a polymer solution on a mandrel or  
4 extrusion of a polymer.

1 Claim 36 (currently amended): Use of a drain according to  
2 ~~claims 21-24~~ claim 21 used for performing coloanal  
3 anastomosis.

1 Claim 37 (currently amended): Method for treating a disorder  
2 associated with dysfunction of natural drainage of body  
3 fluids from an antrum, organ or tissue comprising  
4 introducing a drain according to ~~any of the previous claims~~  
5 claim 1 in said antrum, organ or tissue, such that said  
6 antrum, organ or tissue is connected with the environment or  
7 another location within the body, after which said drain  
8 degrades over time and degradation products of said drain  
9 are cleared through the digestive channel and/or said  
10 antrum, organ or tissue and/or absorbed and subsequently  
11 metabolized and/or secreted by the body.

1 Claim 38 (original): Method according to claim 37, wherein  
2 said disorder is selected from (chronic) sinusitis,  
3 inflammation of the middle ear, liver disorders, disorders  
4 of the gastro-intestinal tract, tear duct disorder, surgical  
5 wound drainage, and thoracic disorder.

1 | Claim 39 (currently amended): Method according to ~~claims 37~~  
2 | ~~or 38~~claim 37, wherein said drain is introduced in said  
3 | antrum using at least one of: sealant; suture; and staple.

1 | Claim 40 (currently amended): Use of a drain according to  
2 | ~~any of the claims 1-35~~claim 1 in the preparation of a  
3 | medicament or kit for the treatment of a disorder as defined  
4 | ~~in claims 37 or 38~~claim 37.